

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANDREW CORZO, SIA HENRY, ALEXANDER LEO-GUERRA, MICHAEL MAERLENDER, BRANDON PIYEVSKY, BENJAMIN SHUMATE, BRITTANY TATIANA WEAVER, and CAMERON WILLIAMS, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, CALIFORNIA INSTITUTE OF TECHNOLOGY, UNIVERSITY OF CHICAGO, THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK, CORNELL UNIVERSITY, TRUSTEES OF DARTMOUTH COLLEGE, DUKE UNIVERSITY, EMORY UNIVERSITY, GEORGETOWN UNIVERSITY, THE JOHNS HOPKINS UNIVERSITY, MASSACHUSETTS INSTITUTE OF TECHNOLOGY, NORTHWESTERN UNIVERSITY, UNIVERSITY OF NOTRE DAME DU LAC, THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA, WILLIAM MARSH RICE UNIVERSITY, VANDERBILT UNIVERSITY, and YALE UNIVERSITY,

Defendants.

Case No. 1:22-cv-00125

Hon. Matthew F. Kennelly

**ORDER REGARDING THE OBLIGATIONS OF DEFENDANTS CORNELL,
GEORGETOWN, AND PENN WITH RESPECT TO PLAINTIFFS' MOTIONS TO
COMPEL REGARDING THOSE DEFENDANTS' NON-OBJECTING STUDENTS (ECF
540) AND OBJECTING STUDENTS (ECF 560)**

In consideration of Plaintiffs' motion to compel related to non-objecting students (ECF 540) and Plaintiffs' motion to compel related to objecting students (ECF 560), argued in Court on February 22, 2024, and the Court's minute entry of the same date (ECF 627), the Court hereby orders as follows:

For each non-objecting student, Defendants Georgetown University ("Georgetown") and The Trustees of the University of Pennsylvania ("Penn") shall produce, and for each objecting student, except for certain students identified by Judge Kennelly (ECF No. 627), Defendants Cornell University ("Cornell"), Georgetown, and Penn shall produce:

- (1) The admission files for that student or, at a minimum, documents sufficient to show each student's academic data (SAT/ACT scores, AP grades, GPA, Class Rank, etc.), as well as any Ratings used to admit or deny students for admission.
- (2) All documents located in the Admissions, President's, or Development Offices (excluding the President's Office of Penn) concerning any donations by each student's parents or grandparents (or their capacity to make such donations), including any correspondence with the parents or grandparents.
- (3) All documents concerning: (a) each student's inclusion on Cornell's Watch List, Georgetown's President's List, or by Penn in any of the enumerated documents¹; and (b) that student's designation by Penn as "SI," "special interest," "Bona Fide Special Interest," bonafide_si "BSI," "BSI-A," "BSI-B," "BSI-C," or any variation or cognate thereof (collectively "Special Interest Designations") in any document (including but not limited to structured data, spreadsheets and/or any document identified in metadata or otherwise as a sponsor list, sponsor report, or any variation or cognate thereof).

¹ PENN568-LIT-00158475, PENN568-LIT-00162228, PENN568-LIT-00163323, PENN568-LIT-00163325, PENN568-LIT-00163324.

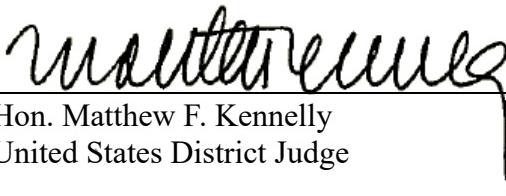
- (4) A list on a single page matching each relevant student's full name to the UID number associated with that student in redacted productions. In the rare instance in which no UID currently exists for a specific student, the producing party will create an ID number for that student and include that ID number on the list.
- (5) In any document produced or reproduced under this Order, the producing party must redact the student's name but must also insert the UID or ID associated with the relevant student. In addition, the producing party may redact Social Security numbers or addresses, and may designate the document as Confidential or Attorneys' Eyes Only under the Second Amended Confidentiality Order in this case.
- (6) The parties will negotiate a special protective order related to objecting students' documents that embodies the Court's statements at the hearing on February 22, 2024 and in the Court's minute entry (ECF 627) of the same date.
- (7) The obligation to produce documents under Paragraphs (2) and (3) herein with respect to grandparents shall be limited to grandparent names that: (a) have been identified by Plaintiffs to the pertinent Defendant by February 27, 2024, or (b) grandparent names that can be located by the pertinent Defendant via a simple, reasonable search of a relational database maintained by the Defendant's Development Office, to the extent such a database exists.
- (8) Production under this Order is to begin promptly and is to take place on a rolling basis. Production must be substantially completed by March 18, 2024. The parties have agreed to reschedule the upcoming depositions of Heather Nichols (Cornell's Director of Admissions Relations, Alumni Affairs & Development, currently scheduled for March 1, 2024), John Zeller (Penn's former Senior VP of Development and Alumni

Relations currently scheduled for March 7, 2024), and Bart Moore (Georgetown's Vice President for Advancement, currently scheduled for March 12) to mutually agree-upon dates no later than April 1, 2024.

- (9) The deposition of Georgetown President John DeGioia shall be resumed for no more than ninety minutes so that the witness can be examined as to documents produced under this Order. That resumed deposition will take place at least one week after Georgetown's completion of production under this Order, and no later than April 1, 2024.
- (10) As to any witness other than those identified above whose testimony as to the documents produced under this Order is relevant ("Relevant Witness"), and whose deposition occurred prior to the date of this Order, the parties shall negotiate in good faith as to whether or not such deposition needs to be resumed in a manner similar to the DeGioia deposition. As to any Relevant Witness identified by Plaintiffs within one week of the pertinent Defendant's completion of production under this Order, whose deposition has not yet been taken and who is not identified in Paragraph 8 above, the parties shall negotiate in good faith regarding the necessity and scheduling of such deposition.

SO ORDERED:

Dated: February 27, 2024



Hon. Matthew F. Kennelly
United States District Judge